

VILLAGE OF KEY BISCAYNE  
88 WEST MCINTYRE STREET  
KEY BISCAYNE, FL 33149

ZONING ORDINANCE REVIEW COMMITTEE

THURSDAY, MAY 8, 2008 8:30 A.M.

BUILDING, ZONING, AND PLANNING DEPARTMENT  
CONFERENCE ROOM, 2ND FLOOR ROOM 250

AGENDA

1. Attendance
2. Approval of Minutes: April 24 and April 25, 2008
3. Review of Zoning Ordinance
  - a. Dock Regulations (see attached draft)
  - b. Landscape Regulations (see attached draft)
  - c. Policy discussion regarding Transfer Development Rights (TDRs)
4. Public comment
5. Next Meeting Date:
  - a. Agenda Items Recommended by Committee
6. Adjournment

Minutes: April 24, 2008

1. The meeting was called to order at 8:44 a.m.
2. Attendance was recorded by staff and included Cecile M. Sanchez of the Landscaping Committee, Ron Oprzadek also of the Committee via telephone and Armando Nunez, the Public Works Director.
3. The minutes of the April 10, 2008 meeting were approved subject to a clarification [that] variances relating to signage are prohibited.

Cecile M. Sanchez updated the Committee on the work of the Landscaping Committee; Bill Fehr suggested that the Supplemental Landscape regulations for Single Family Residences (Section 30-100(j)) be moved to Article 9 Landscape Regulations and removing redundant or conflicting text, maintaining a min. 14' ht. shade tree requirement. He also expressed concerns regarding the percentage of native plant materials required being too low, and recommended an increase to 40% (existing 30%), which would result in at least 2 native shade trees of total 4 required on a standard 7,500 sq ft lot vs. the current 1. This would also maintain some flexibility for appropriate non-natives. Also recommended was changing the tree requirement to increase allowable palm substitution at the 3:1 ratio from the current 30% to 50%, as long as the 12' ht. requirement for palms is upheld. There was some discussion as to enforcement of the Miami-Dade County Landscape Manual regarding prohibited and undesirable trees and plantings; there seemed to be consensus by the Committee for

the above suggestions following further discussion at the next meeting and to maintain enforcement of the Miami-Dade Landscape Manual.

Armando Nunez expressed concerns that at the end of construction, resultant landscaping is consistently different from what was approved in the Landscape Plan approved for permit. The Village attorney stated that the Landscape Plan is part of the Site Plan and Certificate of Occupancy should be withheld until the installed landscaping conforms to the Landscape Plan, or at the least, revisions are determined to comply with regulations. Concern was also expressed that swales are destroyed during new construction and not re-built; a possible bond and/or enforcement measures to be added to the Public Works Ordinance were discussed; setbacks at swales were also discussed.

A general discussion covered encouraging xeriscape by eliminating the requirement for irrigation as an incentive; recycled water irrigation, with an explanation by Armando Nunez that when provided, initial service would be for the school, parks, commercial and multi-family areas and that single family detached homes areas would be last; that the Village pay for a sub-meter to control watering of lawns, again as an incentive but that he thought mandatory watering restrictions were going to be permanent and would automatically take care of this problem; incentives were discussed that in exchange for taking out exotics, the Village would provide for a replacement in private properties.

Ron Oprzadek recommended: creating a list of preferred trees and if planted, give credit against other requirements of the Code; creating another list of protected trees, however Armando Nunez explained that DERM already very strictly supervises this issue; enforcement was discussed in practically every issue.

Respectfully Submitted:

William Fehr, AICP, Zoning Plans Reviewer, VKB BZP Department

Julie S. Alvarez, Committee Member

Minutes: April 25, 2008

1. The meeting was called to order at 5:05 p.m. at the Key Biscayne Yacht Club.
2. Attendance was recorded by Staff.
3. The Committee toured the bay and canals courtesy of Jim Taintor who volunteered his boat.
4. The Committee members commented on docks, boats, bulkheads on how the regulations have impacted them. There was a consensus that the regulations affecting the canals are satisfactory, that the 45 degree triangle should be replaced with a 60 degree triangle for properties on the bay and said triangle should have a baseline of 100 ft. with a dock projecting no further than 40 ft. The Committee thanked Jim Taintor for volunteering his boat.
5. The meeting adjourned at 6:30 p.m.

Respectully Submitted by:

Jud Kurlancheek, AICP, Director